

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

2015 JAN 15 PM 2:01

JOHNNY ORTEGON

Vs.

UNION PACIFIC RAILROAD

CASE NUMBER

SA15CAC035OG

COMPLAINT

Johnny Ortegon P.O. Box 52 Eden, Texas 76837

Union Pacific railroad CT corporation system, 350 N. St. Paul st. Dallas, TX 75201

JURISDICTIONAL PLEA

Section 29 USC 825.400 Family Medical Leave Act of 1993

Union Pacific railroad failed to comply with federal laws set forth under the Family Medical Leave Act of 1993, to include but not limited to 29 CFR 825.100 (a) 825.101 (B)

Under section 107 of Family Medical Leave act.

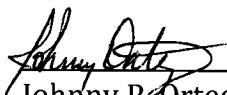
Allegations

1. Union Pacific railroad, mislead the Department of Labor during an investigation of Johnny Ortegon claims. Under CFR 825.300 part B paragraph 1.
2. Johnny Ortegon was terminated in February 2013 during the time he had FMLA and had not exceeded his 12 weeks of allowed leave.
3. Union Pacific never back dated his record of layoffs as FMLA after he notified his employer they had exceeded the 10 day period allowed to approve his FMLA.
4. Department of Labor ordered Union Pacific to make Mr. Ortegon whole again with the company and Union Pacific refused to comply with letter.

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RELIEF REQUESTED

It is Johnny Ortegon's intention to be made whole with Union Pacific Railroad, with all lost wages, benefits, 401k, vacation pay, seniority rights, medical dental and vision insurances be restored railroad retirement, and back wages be made correct had Mr. Ortegon not lost employment. Mr. Ortegon is also seeking punitive damages, and liquidated damages.

 signed this day of 1-15-15
Johnny R. Ortegon
"PRO SE"
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Eden, TX 76837
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